

PAVESE LAW FIRM

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September 14, 2005

The Honorable Jim Humphrey
City of Fort Myers, Florida
P. O. Drawer 2217
Fort Myers, FL 33902

Re: Request for Brownfields Designation
Robbins Manufacturing Site
3250 Metro Parkway

Dear Mayor Humphrey and Members of the Council:

On behalf of Garden Street Iron and Metal, we are requesting the above referenced property be designated as a brownfield. The Robbins property is located south of Tara Lee Street, west of Metro Parkway and east of the Seminole Gulf railroad grade within the City of Fort Myers. A site location map is attached for your review and reference.

The subject property has been used as a wood treatment facility since 1967 by Robbins Manufacturing Company. As you may know, chromated copper arsenate (CCR) was historically used as a wood preservative and its use resulted in arsenic contamination to soil and groundwater at wood treatment sites. For the last year, Robbins has used an alternate wood treatment, but the soil and groundwater at the Robbins site are contaminated with arsenic due to the CCR wood treatment. Robbins has been working with the Florida Department of Environmental Protection to address the contamination and is close to reaching a consent agreement with that agency. Robbins intends to close the wood treatment facility on the site and locate their wood treatment operations elsewhere resulting in vacant, unused property.

Garden Street Iron and Metal has a resource recovery operation on property adjacent to the Robbins site and is interested in acquiring the Robbins property to provide additional space for their resource recovery operation. Garden Street's plan would return the property to a useful purpose. As a condition precedent to acquiring the property and undertaking the performance of the tasks necessary to decontaminate the site, Garden Street is requesting that the City of Fort Myers designate the Robbins property as a brownfield site so that Garden Street can participate in the State's brownfields program. As part of the brownfields program, Garden Street can purchase the Robbins property and complete the work to decontaminate the Robbins site without

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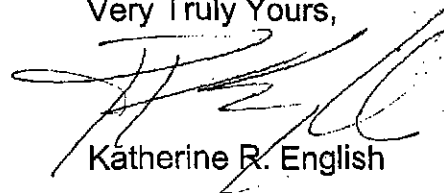
being treated as the party responsible for the contamination by participating in the brownfields program.

As you know, the local government having jurisdiction over a property is the only entity that may designate a property for the brownfield program. Garden Street is eligible to participate in the brownfields program since it did not cause or contribute to the contamination of the Robbins site. Designating the Robbins property as a brownfield site will encourage Garden Street to purchase the property, complete the clean up and return the property to productivity while providing Garden Street protection from liability. In making this designation, the City of Fort Myers becomes the administrator of the site, but does not incur any liability to undertake the clean up of the property.

In short, granting the request of Garden Street to designate the Robbins property as a brownfield site will allow Garden Street to purchase the property pursuant to an existing sales contract and work with the City and the Florida Department of Environmental Protection to clean up a contaminated property and return the property to a productive purpose.

Thank you for your consideration of this request. We look forward to responding to any questions you may have in regard to this request.

Very Truly Yours,



Katherine R. English

KRE/ss
Enclosures
cc: Garden Street

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